

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

PERRY CLAYBORNE,)	
)	
Plaintiff,)	
)	Case No. 4:05cv00028
v.)	
)	
Commissioner of Social Security,)	<u>ORDER</u>
)	By: Jackson L. Kiser
)	Senior United States District Judge
Defendant.)	

On May 31, 2005, this Court entered an order referring this case to the Honorable B. Waugh Crigler, United States Magistrate Judge, for proposed findings of fact and recommended disposition. Magistrate Judge Crigler filed his Report and Recommendation on October 31, 2005. After reviewing the record in this case and no objections having been filed to Magistrate Judge Crigler's Report and Recommendation within ten (10) days of its service upon the parties, this Court adopts Magistrate Judge Crigler's Report in its entirety. Accordingly, it is this day **ADJUDGED** and **ORDERED** as follows:

1. The Report and Recommendation of the United States Magistrate Judge, filed October 31, 2005, shall be, and hereby is, **ADOPTED** in its entirety.

2. For the reasons stated in Magistrate Judge Crigler's Report, the Commissioner's final decision is **AFFIRMED**, judgment is **GRANTED** to the Commissioner and this action is **DISMISSED** from the docket of this Court.

3. The clerk is directed to strike this case from the active docket of this Court and to send certified copies of this Order to all counsel of record and to Magistrate Judge Crigler.

ENTERED this 21st day of November, 2005.

s/Jackson L. Kiser
Senior United States District Judge